

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

MATTHEW H. BECKETT,

Plaintiff,

v.

SCALIA, et al.,

Defendants.

No. 1:20-cv-01468-JLT-CDB (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND DENYING
MOTION FOR RETURN OF PROPERTY

(Docs. 23, 27)

Matthew H. Beckett is a state prisoner proceeding pro se and in forma pauperis in this civil rights action filed under 42 U.S.C. § 1983. This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

The Magistrate Judge issued findings and recommendations, which concluded that the Court should deny Plaintiff's motion for a return of property. (Doc. 27.) Because of the relief sought, the assigned Magistrate Judge construed the pleading as a motion for a preliminary injunction. (*Id.* at 1.)

Plaintiff objects and states that he is seeking production of evidence and has made multiple attempts to obtain unspecified documents from the warden, the AG's office, and the court. (Doc. 28 at 1.) Plaintiff attaches to his objections numerous documents that appear to be filings in another case pending in this District in which he is the named plaintiff. Notably, Plaintiff does not dispute the Magistrate Judge's conclusion that the type of injunctive relief

1 Plaintiff requests (return of property) is different from the relief he seeks ultimately to be granted
2 in this action. Nor does Plaintiff challenge that the Court lacks authority to grant Plaintiff his
3 requested remedy absent a nexus between that remedy and the conduct asserted in the complaint.

4 According to 28 U.S.C. § 636(b)(1)(C), this Court has conducted a de novo review of this
5 case. Having carefully reviewed the entire file, including Plaintiff's objections, the Court
6 concludes that the findings and recommendations are supported by the record and proper
7 analysis. Thus, the Court ORDERS:

8 1, The findings and recommendations issued on October 2, 2023, (Doc. 27), are
9 **ADOPTED IN FULL.**

10 2. Plaintiff's motion for a preliminary injunction, (Doc. 23), is **DENIED.**

11
12 IT IS SO ORDERED.

13 Dated: **December 22, 2023**


UNITED STATES DISTRICT JUDGE